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**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
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James C. Kenney
Cabinet Secretary

Stephanie Stringer
Deputy Secretary

**PUBLIC NOTICE NUMBER 21-05
NOTICE OF PUBLIC COMMENT PERIOD AND OPPORTUNITY TO REQUEST A
PUBLIC HEARING ON A DRAFT HAZARDOUS WASTE PERMIT FOR
SPARTON TECHNOLOGY, INC. COORS ROAD PLANT ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO.
EPA ID NUMBER NMD083212332
June 18, 2021**

The New Mexico Environment Department (NMED) is issuing for public comment a draft Hazardous Waste Facility Permit (draft Permit) issued under the New Mexico Hazardous Waste Act (HWA). NMSA 1978, §§ 74-4-1 to 74-4-14, in accordance with the New Mexico Hazardous Waste Management Regulations (HWMR), 20.4.1 New Mexico Administrative Code (NMAC). The Permit will authorize Sparton Technology, Inc. (ST), the Permittee, to continue post-closure care for a closed capped surface impoundment at its Facility, as set forth in the draft Permit. Pursuant to the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6901 to 6992k, the State of New Mexico, through the NMED, is authorized to administer and enforce the state hazardous waste management program under the HWA in lieu of the federal program to ensure that the Permittee's hazardous waste operations are conducted in a manner protective of human health and the environment.

The Sparton Technology, Inc. facility, (also called Former Coors Road Plant), is located at 9621 Coors Boulevard NW, north of Paseo del Norte and south of Arroyo de las Calabacillas on Latitude 35° 11' 05" North, and Longitude 106° 39' 38" West. The Facility lies within Bernalillo County and the City of Albuquerque.

Sparton Technology, Inc. operated a defense electronics component manufacturing plant at the Coors Road location from 1961 through 1994. In the late 1980's it was determined that industrial solvents had been released to soil and groundwater from the site. A series of investigations over the following years detailed the nature and extent of the solvent contamination. The primary constituents impacting soil, soil gas, and groundwater were trichloroethylene (TCE), 1,1,1-trichloroethane (TCA) and lesser amounts of methylene chloride (MC) acetone, and 1,1-dichloroethylene (DCE) a degradation product of TCA and TCE. Various studies have indicated that the contaminant plume has not impacted any existing water supply wells. Corrective action at the Facility is governed by a Consent Decree, Civil Action No. Civ. 97 0206 LH/JHG, filed on March 3, 2000.

All structures were removed from the site prior to 1999 with the exception of a closed, backfilled, and capped surface impoundment. The draft Permit addresses post closure care of the closed surface impoundment.

NMED also announces the availability of a Fact Sheet that provides the basis for the proposed action on the draft permit and the significant factual and regulatory issues considered in preparing the draft permit. The Fact Sheet explains the basis for the draft permit and permit conditions, including applicable statutory and regulatory support.

PUBLIC REVIEW OF THE DRAFT PERMIT

The Administrative Record for this proposed action consists of the Permit application, the draft Permit, this Public Notice, Fact Sheet, and supporting documentation. The Administrative Record may be reviewed, with prior appointment, at the following location during the public comment period.

NMED - Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Phone: (505) 476-6000
Monday – Friday: 8:00 a.m. to 5:00 p.m.
Contact: Dave Cobrain

Copies of the draft Permit, this Public Notice, and the Fact Sheet are also available on the NMED website at: <http://www.nmenv.state.nm.us/HWB/stperm.html>. To obtain a copy of the Administrative Record or a portion thereof, please contact Dave Cobrain at (505) 476-6000, or at the address given above. NMED will provide copies, or portions thereof, of the Administrative Record at a cost to the requestor.

NMED issues this public notice on **June 18, 2021**, to announce the beginning of a 60-day comment period that will end at **5:00 p.m. MST, August 17, 2021**. Any person who wishes to comment on the draft Permit or request a public hearing should submit written or electronic mail (e-mail) comment(s) with the commenter's name and address to the respective address below. Only comments and/or requests received before **5:00 p.m. MST August 17, 2021** will be considered.

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Ref: ST Draft Permit

Written comments must be based on reasonably available information and include, to the extent practicable, all referenced factual materials. Documents in the Administrative Record need not be re-submitted if expressly referenced by the commenter. Requests for a public hearing shall provide: (1) a clear and concise factual statement of the nature and scope of the interest of the person requesting the hearing; (2) the name and address of all persons whom the requestor represents; (3) a statement of any objections to the draft Permit, including specific references to any conditions being addressed; and (4) a statement of the issues which the commenter proposes to raise for consideration at the hearing. Written comments and requests for public hearing must be filed with Dave Cobrain on or before **5:00 p.m. MST August 17, 2021**. NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

NMED must ensure that the approved Permit is consistent with the New Mexico Hazardous Waste Management Regulations. All written comments submitted will be considered in formulating a final decision and may cause the draft Permit to be modified. NMED will respond in writing to all public comments received. The response will specify which provisions, if any, of the draft Permit have been changed in the final decision and the reasons for the changes. All persons presenting written comments or who requested notification in writing will be notified of the decision by mail. The responses will also be posted on the NMED website.

After consideration of all the written public comments received, NMED will issue, or modify and issue, the Permit. The Permittee will be provided by mail a copy of the Permit including any modifications and a detailed written statement of reasons for the modifications. The Secretary of the New Mexico Environment Department will make the final decision publicly available and shall notify the Permittee by certified mail. The Secretary's decision shall constitute a final agency decision and may be appealed as provided by the HWA (Chapter 74, Article 4 NMSA 1978).

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Any person with a disability requiring assistance or auxiliary aid to participate in this process should contact Tina Montoya no less than ten days prior to the end of the public comment period at the following address: New Mexico Environment Department, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-6110, telephone number: (505) 827-9769. TDD or TDY users, please access Ms. Montoya's number via the New Mexico Relay Network at 1-(800) 659-8331.

NON-DISCRIMINATION STATEMENT

The NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. The NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, or if you believe that you have been discriminated against with respect to an NMED program or activity, you may contact: Kathryn Becker, Non-Discrimination Coordinator, NMED, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM, 87502, (505) 827-2855, nd.coordinator@state.nm.us. You may also visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how to file a complaint of discrimination.